Docket No. 296009US0PCT

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Kenji SHIZUKA, et al.

SERIAL NO: 10/591,911 GAU: 1795

FILED: January 18, 2007 EXAMINER:

FOR: LAYERED LITHIUM NICKEL MANGANESE COBALT COMPOSITE OXIDE POWDER FOR MATERIAL OF

POSITIVE ELECTRODE OF LITHIUM SECONDARY BATTERY, PROCESS FOR PRODUCING THE SAME.

POSITIVE ELECTRODE OF LITHIUM SECONDARY BATTERY THEREFROM, AND LITHIUM

SECONDARY BATTERY

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR

Applicant(s) wish to disclose the following information.

#### REFERENCES

The applicant(s) wish to make of record the reference(s) listed on the attached form PTO-1449 and/or
accompanying documents from a corresponding foreign application. Copies of the listed reference(s) are attached,
where required, as are either statements of relevancy or any readily available partial or full English translations of
pertinent portions of any non-English language reference(s).

☐ Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), in the amount required under 37 CFR §1.17(p).

#### RELATED CASES

- Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), in the amount required under 37 CFR §1.17(p).

### CERTIFICATION

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

# DEPOSIT ACCOUNT

Please charge any additional fees for the papers being filed herewith and for which no payment is enclosed herewith, or credit any overpayment to deposit account number <u>15-0030</u>.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, L.L.P.

Norman F. Oblon

✓ James H. Knebea
Registration No. 22,€30

Customer Number

22850 Tel. (703) 413-3000

Fax. (703) 413-2220 (OSMMN 02/10)